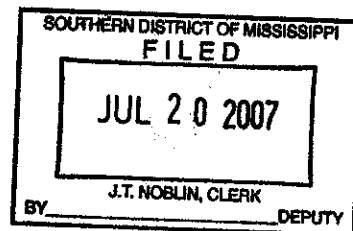


FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

COMPLAINT

~~John Harte~~
Harte 24720
John
SmcI II Po Box 1419

(Enter above the full name of the plaintiff or plaintiffs and prisoner
number of each plaintiff in this action)

heakesville ms 39451

V.

CIVIL ACTION NUMBER:

1:07cv 956 LG RHW

(to be completed by the Court)

Harrison County
Board of Supervisors
1801 23rd Ave
Gulfport ms 39501

(Enter above the full name of the defendant or defendants in this action)

more defendants added
Page
Jury Trial Demanded

OTHER LAWSUITS FILED BY PLAINTIFF

NOTICE AND WARNING:

The plaintiff must fully complete the following questions. Failure to do so may result in your case being dismissed.

A. Have you ever filed any other lawsuits in a court of the United States? Yes (☒) No (☐)

B. If your answer to A is yes, complete the following information for each and every civil action and appeal filed by you. (If there is more than one action, complete the following information for the additional actions on the reverse side of this page or additional sheets of paper.)

1. Parties to the action: Harrison County et al # 103 CV 840
State of ms et al # 206 CV 245

2. Court (if federal court, name the district; if state court, name the county): US, Dist Court
Southern Division and US Dist Court Hattisburg Div.

3. Docket Number: 103 CV 840 # 206 CV 245

4. Name of judge to whom case was assigned: Louis Girarde JR. Keith Stought

5. Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?):

Still Pending (Both)

PARTIES

(In item I below, place your name and prisoner number in the first blank and place your present address in the second blank. Do the same for additional plaintiff, if any).

I. Name of plaintiff: John Hale Prisoner Number: # 24720
 Address: SmCT II D2, # 25
Po Box 1419
Leakesville ms 39451

(In item II below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use the space below item II for the names, positions, and places of employment of any additional defendants.)

II. Defendant: Harrison County Board of Supv. is employed as
at 1801 23rd
Ave Gulfport ms 39501

The plaintiff is responsible for providing the court the name and address of each plaintiff(s) as well as the name(s) and address(es) of each defendant(s). Therefore, the plaintiff is required to complete the portion below:

PLAINTIFF(S):

NAME:	ADDRESS:
Harrison Co	1801 23rd Ave Gulfport ms
Hewelllyn Kabave	10451 Larkin Smith DR Gulfport ms
Sheriff George Payne	10451 Larkin Smith DR Gulfport ms
T.	

DEFENDANT(S): (Each Officially and Individually)

NAME:	ADDRESS:
<u>Harrison Co Supv.</u>	<u>1801 23rd Ave Gulfport ms</u>
<u>Sheriff George Payne</u>	<u>10451 Larkin Smith DR Gulfport ms</u>
<u>Officer Hewelllyn Kabave</u>	<u>10451 Larkin Smith DR Gulfport ms</u>
<u>Officer E. Tarpley # 267</u>	<u>10451 Larkin Smith DR Gulfport ms</u>
<u>T. P. Willis</u>	<u>10451 Larkin Smith DR Gulfport ms</u>
<u>Morgan L Thompson</u>	<u>10451 Larkin Smith DR Gulfport ms</u>
<u>James Gaston</u>	<u>10451 Larkin Smith DR Gulfport ms</u>

See Attached Page

Defendants

Dixie Burtucie
Probation office
hymuse st
Biloxi ms

Rondalyn Rogers
10451 harkin smith DR
Gulfport ms ~~3945~~ 39501

Officer John Doe
10451 harkin smith DR
Gulfport ms 39~~50~~1

Mississippi Enuity Insurance
Company
PO Box 27904
Jackson ms 39621

John & Jane Does
Not Known at This
Time
10451 harkin smith DR
Gulfport ms 39501

ADMINISTRATIVE REMEDIES PROGRAM

A. At the time of the incident complained of in this complaint, were you incarcerated because you had been convicted of a crime?

Yes (✓) No ()

B. Are you presently incarcerated for a parole or probation violation?

Yes (✓) No ()

C. Did you present the facts relating to your complaint in the administrative or grievance procedure in your institution?

Yes () No (✓) NONE Available

1. If you answer to C is yes,

a. State the date your claims were presented: NA

b. State how your claims were presented. (Written request, verbal request, request for forms)

NA

c. State the result of that procedure. (You must attach a copy of the final result, such as a certificate from the administrator of the Administrative Remedies Program stating that you have exhausted your administrative remedies.)

NA

2. If you have not filed a grievance, state the reasons: NONE Available for
These violations

STATEMENT OF CLAIM

- III. State here as briefly as possible the facts of your case. Describe how each defendant is involved. Also, include the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need; attach extra sheet if necessary.)

This Claim is Based on (1983, 1986 Civil Conspiracy 1985(2) Obstruction of Justice and 1st Amendment Interference of Access To The Courts I Learned for Sure That I had This Claim 2/6/2007 When I Received The Docket Report From The Court, I have Previously Been Diligently Trying To find out About This Claim See Statement of Facts, ~~See~~ I Also would Include State Law Claims Where Applicable

RELIEF

- IV. State what relief you seek from the court. Make no legal arguments. Cite no cases or statutes.

Demand, Jury Trial
 1,000,000⁰⁰ for Compensary from each and all Defendants
 1,000,000⁰⁰ for Punitive from each and all Defendants
 Each In Their Individual and Official Capacities, any State Law Relief Available

Signed this 11th day of July, 20 07

John Hale
 Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

7, 11, 07
 (Date)

John Hale
 Signature of plaintiff(s)

Statement of Facts,

- (1) ~~In~~ June 2005 I Gave Officer Labare a Reply To DR Comptons Motion for Summary Judgment with Exhibits and Affidavits I Supplied Two Stamped Addressed Envelops So Officer Labare Could mail The Pleadings To The Court, The 2nd Envelop was for The Court to mail my hand Copied Pleading To me at The Hinds County Restitution Center Officer Labare Never Mailed it, Thus Violating my Right of Access To The Court and (1985) Obstructing Justice.
- (2) Officer T.P. Willis on July 15 The day I Returned To The Harrison County Jail From The Restitution Center Took my legal Work as I Was being booked back in, T.P. Willis Obstruted my Access By Keeping my legal Work from me for Approximately five months Officer Willis Conspired with Booking officers E. Tarpley Badge #267, and Morgan L. Thompson To Keep my legal Work from me Thus violating The Constitution under Color of Law By Interfering with my Access To The Court and obstructing Justice
- (3) at The end of July I Gave a Summary Judgment Reply for Riley, Rogers, T.P. Willis,

Kenny Roger, Eddie Collins I Gave These Pleadings To an officer who I only know as Even if it Was Not mailed again Obstructing Justice and my Access To The Court,

(4) James Gaston and Dixie Burtuize Conspired To have my Post Release Supervision Revoked In Retaliation for my Civil Action. Gaston had No other Reason To be at my Revocation Hearing But To Tell Dixie Burtuize About my Civil Suite, Dixie Burtuize had NO Reason TO Bring my Civil Action up TO The Court as it had Nothing TO Do With my Being Sent Back from The Reformatory Center, I Was Sent BACK for Medical Reasons with The Recommendation from Commander Robins To be Released To seek Treatment at The V.A., I Did NOT violate any Rules and Would Not have been Revoked The Only Reason I Was Was Due TO The Agreement Between Gaston and Burtuize. Violating my 1st Amendment Right of Access To The Court and Obstructing Justice Under 1985 (2)

(5) Sheriff George Payne New of and Approved OF The Violations and obstructing
- ing (2)

Of Justice Sheroff George Payne was In The Conspiracy With James Gaston To Keep me from The Courts, he violated my Rights under 1985(2) As Was The Custom at The Jail,

(6) Rhondalyn Rogers Retaleated against me for my Civil Action Against her on 7,21,06 MS Rogers Refused To Submit My Completion of The Good News Bible Study Correspondance Course To MDOC for The Eligability of MET Time, her only Motive in This Denial was To Retalate for my Civil Action Against her its Not her decision as to wether I earn MET Time its The MDOC who decides Not MS Rogers See SOP. 10, 15-03-01 MDOC Policy, and Statute 47-5-142, MS Rogers Retaliation Violates The 1st Amendment of The Constitution,

(7) The Harrison County Board of Supervisors have Known about The Violations at The Jail for years as its Been The Custom and Practice at The Jail To NOT Provide Adequate Medical Care, obstruct Access To The Courts By Taking of Legal Work and

Not Mailing my Pleadings To The Court. The Defendants have aided and abetted Each Other Causing The Constitutional Violations At The Jail To Persit For years That were Wide spread Abuses That spread Throughout The Whole Sheriffs Department There's been a High degree of Plybricity Concerning The Jail The Board of Supervisor had Knowledge Of The Abuses at The Jail yet Remained Delibratly Indifferent,

my Claim is Forward looking and Backward looking The violations of my Rights have Been Ongoing and Continuing The Frauds & Conspireys of The Defendants, The Not mailing of my Pleadings have Violated my Right of Access The The Court, Each Named Defendant Above agreed To and did Interfere with my Access To The Courts and caused Injury To my Underling Claims The Coverup in Fact prejudiced my Ability To seek redress, They Acted with Deliberet Intent To Thwart vindication of my Rights

The Frauds and Conspireys under 1985 (2) To Deny me Access The The Court Toll The statute of limitations, The Fact That The violations have Been Continuing and on going Toll The statute of limitations my Access To The Court Was Impeded Before I Filed my Claim and

~~and~~ All During The Pursuit of said Claim Rhonda Lyn Rogers Retaleated against me In 2006 Contriving To Violate my Right To Access; The Conspiracy of Gaston & Dixie Burtize Are affecting me This Very minute. I Would Not Be here if Not for There Retortory Actions As Judge Vilhos Was going To Release me To seek Treatment at The V.A Hospital

The Harrison County Sheriffs Dept Ryas a Close and To Grand Staff as The Whole Dept has Run amuck ~~at~~ for years and have gotten away with it I am Surprised That They hadnt Killed some one Before Jessie L. Williams

The Consent Order Required The Defendants To Improve Access To The Courts But Instead The Denied me and many other Pro-se Inmates like me Access To The Court By Taking of legal Pleadings and Not mailing Them To The Court,

Respectfully Submitted under Penalty of Perjury This The 11th day of July 2007 By John Hale
John Hale # 24720